

52.225-25 PROHIBITION ON CONTRACTING WITH ENTITIES DEC 2012  
ENGAGING IN SANCTIONED ACTIVITIES RELATING TO  
IRAN-- REPRESENTATION AND CERTIFICATION

52.232-38 SUBMISSION OF ELECTRONIC FUNDS TRANSFER MAY 1999  
INFORMATION WITH OFFER

(End of Addendum to 52.212-1)

### **E.11 52.212-2 EVALUATION--COMMERCIAL ITEMS (OCT 2014)**

(a) The Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the Government (i.e., best value), price and other factors considered.

The following factors listed in order of importance shall be used to evaluate offers: Factors (1) Technical Capability (2 Sub-factors), (2) Past Performance; and (3) Price.

Overall, factors 1 & 2 are weighted equal to one another when combined and are more important than price.

(b) Options. The Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are significantly unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s).

(c) A written notice of award or acceptance of an offer, mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

(End of Provision)

### **Addendum to FAR 52.212-2**

#### **Evaluation Process:**

**The Government will use a "best value" approach to select the awardee. Proposals will be evaluated based on the following factors, listed as shown below:**

Technical Capabilities (including sub-factors), and Past Performance, when combined are significantly more important than price. Technical Capabilities are equal in importance to Past Performance.

Proposals will be evaluated for technical merit, past performance, and price reasonableness. Award shall be based on a best value trade-off analysis. Offerors are cautioned to submit their initial quotes based on most favorable terms, price, technical and other factors. The Government reserves the right to make an award based on initial proposals received without discussion.

The Government will award a firm-fixed price Contract from this solicitation to the responsible offeror whose offer conforming to the solicitation will be the best value to the Government by performing a non-price/price factor evaluation of proposals that meet or exceed acceptability standards of non-price evaluation factors. The following factors shall be used to evaluate quotes:

- A. **Evaluation Factor 1: Technical Capability:** Offeror shall address in detail the Technical Capabilities by describing their proposed approach to each sub-factor. The approach must meet Contract requirements which will be evaluated with respect to providing the VA with a highest level of confidence in successful performance. All technical sub-factors shall be considered based solely by the proposal provided, the extent in which the proposal demonstrated a clear understanding of the requirements, and problems involved in meeting or exceeding the standards for the various tasks, and their ability to meet the Contract requirements. Ratings will be based on the extent to which the offeror addresses each of the sub-factors. **\*This section shall be no longer than 45 pages.\***

**Technical Evaluation Sub-Factor:** Sub-factors should clearly and fully demonstrate the offeror's knowledge, capability, and experience regarding the technical requirements. Merely stating that an offeror understands and will comply with the technical requirements will be deemed an insufficient demonstration of understanding. Similarly, phrases such as "standard procedures will be employed" or "well-known techniques will be used" are inadequate. Failure to follow instructions regarding the format and content of the proposal also may result in the bidder's proposal being deemed unresponsive.

- (1) The Technical Capability Sub-factors may be evaluated strictly on the merit of the technical material submitted; no price information is to be included in any part of the Technical Proposal. Where estimated resource hours will provide clarity, they shall be quoted in resource hour figures only, with no indication as to the associated cost.
- (2) The Technical Capability shall consist of two (2) sub-factors that provide the specific information required in the order presented below. Technical Capabilities Sub-factors one (1) and two (2), are equal in importance.

**Sub-factor 1**

**DETAILED TECHNICAL/MANAGEMENT REQUIREMENTS:**

The detailed Technical/Management Requirements section shall specifically address all technical and management requirements set forth in this Request for Proposal (RFP) including any exhibits or amendments. **No more than 15 Pages.** Resumes not included.

- Contractor shall submit experience/expertise with the Cemetery Operations.
- Cemetery operations that include the handling, setting and maintenance of Headstone and Niche covers.
- Operation of equipment in the vicinity of headstones.
- Include in this section relevant information that shall demonstrate the technical and/or managerial qualifications of **key personnel** you propose to use in accomplishing the contract. Demonstrated qualifications and experience for each individual should be included in this sub-factor in the form of a resume, not to exceed two pages in length for each of the individuals identified. Key personnel are construed to include those individuals who will directly manage, supervise or oversee on-site contract performance, or who will provide technical advice and guidance to contractor personnel, or who will serve as a liaison between your company and cemetery staff, including the Contracting Officer's Representative(s) (COR). Identify exactly what they will be doing for the

- contract. The contractor shall detail the management availability during contract performance.
- Identify **alternate** key personnel as backup for key personnel. You may identify other personnel as "key" if, in your opinion, these personnel will have substantive impact in the technical or contract management aspects of contract performance.
- Offeror shall provide or demonstrate the ability of obtaining before commencement of contract performance, all licenses, permits, insurance information and other certifications that may be required to perform the contract.

**Sub-factor 2**

**STAFFING PLAN/CONTRACTOR TEAM ARRANGEMENTS:** It is mandatory that the Offeror be solely responsible for completing the contract. Offeror is to describe the following to satisfy Sub-Factor 2...

- The proposed staffing plan inclusive of labor break down for your firm and for subcontractors (if any).
- List of all subcontractors and their area of work responsibility (% of contract work to be performed).
- Labor Breakdown Codes generated from the attached Wage Determination.
- The role of the management/supervisors overseeing employees and project and percentage of availability.
- How long it will take to fully staff the contract.
- How the offeror plans to retain the proposed staffing levels, information on turnover rates and related recruiting efforts.
- Offeror is to provide a thorough list of equipment, vehicles, supplies, products and materials that it proposes to use under the contract. Equipment type, model and age; **No more than 15 Pages.**

- B. **Evaluation Factor 2: Past Performance:** Past performance will be evaluated for quality, timeliness (ie recent), problem resolution, price control, business relations, customer service and relevance (ie experience in providing services similar in size, scope, and complexity as described in the SOW). If no past performance information is readily available (FAR 15.305(a) (2) (iv)), the Offeror's past performance will be evaluated neither favorably nor unfavorably. Responsibility determination will be made in accordance with FAR 9.1 Responsible Prospective Contractors. **NOTE:** The offeror is responsible for providing three (3) references of their choosing using a copy of Attachment A in Section D (Past Performance Questionnaire) for their completion and their submission back to the Contracting Officer for review. The references chosen by the offeror should be selected based on past projects of the same or similar work. The source selection authority shall determine the relevance of similar past performance information.

**C. Evaluation Factor 3: Price:**

The Government will evaluate offers by adding the total of all line item prices. Price analysis will be conducted to determine a fair and reasonable price. Additionally, a price realism analysis will be conducted for the purpose of assessing whether an offer reflects understanding of contract requirements, risk inherent, or if the proposal is unbalanced. Price may be compared against the Independent Government Estimate (IGE) and or against the average mean of the offers received to determine too low or too high offers. The Government reserves the right to use any standard or acceptable method to determine price realism.

**Evaluation factors will include:**

The Government will research information and data bases to aid in establishing contractor's responsibility and ability to perform. The databases include, but are not limited to Experian, PPIRS, EPLS, VetBiz and SBA.

**Bonding:** The Government retains the right to ask for bonding (bid, performance, payment) if it is determined to be necessary to address Government concerns. In such cases, the Government will reimburse 100% of the bonding price. Failure to receive or qualify for bonding will result in removal from further consideration for award. The Experian comprehensive Report will be one of the tools used to determine if bonding should be required due to the business financial stress score/summary. The number of contracts outstanding will be another consideration in determining if bonding will be needed. Failure to obtain bonding within a reasonable time will result in withdrawal of award and discussion with the next best offer. If bonding is not required, the prime is required to notify all sub-contractors that there is no bonding on the contract. Reference FAR 52.228-16 Performance and Payment Bonds – Other than construction.

Offerors shall also provide a copy of their insurance with bid proposal, or before an award.

The Government retains the right to award without discussions. Therefore, offerors are encouraged to provide their best proposals with the materials requested for evaluation. The Government, based on the material presented, will award to the proposal that best demonstrates to be most advantageous for the Government.

**E.11 ADDITIONAL INSTRUCTIONS TO OFFERORS**

**Failure to submit all required documentation as required may result in your submission being found to be technically unacceptable.** The proposal package should contain the following:

- SF-1449 with completed blocks 17a & 30(a, b & c) and fill in the DUNS, Tax I.D. and Email.
- Acknowledgement of any Amendments.
- Price Proposal for all items in the Schedule of Prices.
- Past Performance Questionnaire via email. Fill out and return within 5 days of Proposal Package submission.
- Technical proposal (see addendum to FAR Clause 52.212-2 "Evaluation – Commercial Items"). Completed FAR Provision 52.212-3 "Certifications and Representations" and indicate whether contractor has completed the annual representations and certifications electronically at <http://www.sam.gov>.